



## Board of Selectmen Meeting

Monday, March 18, 2019 7:00 PM  
36 Bartlet Street, Andover, MA 01810  
Selectmen's Conference Room

RECEIVED  
TOWN CLERK'S OFFICE

2019 MAR 14 P 12: 24

TOWN OF ANDOVER, MASS

**I. Call to Order – 7:00 P.M.**

**II. Opening Ceremonies – 7:00 P.M.**

A. Moment of Silence/Pledge of Allegiance

**III. Communications/Announcements/Liaison Reports – 7:05 P.M.**

**IV. Citizens Petitions and Presentations – 7:10 P.M.**

**V. Regular Business of the Board**

A. Board of Registrars – (20 minutes)

Board to consider nominees for appointment to the Board of Registrars of Voters and to appoint a registrar to a term expiring March 31, 2022. The Republican Town Committee nominates Brian Major of 11 Odyssey Way. The Democratic Town Committee nominates Champa Bilwakesh of 5 Garfield Lane E, Diane Riemer of 5 Lansbury Lane, and Amy Sennett of 311 Lowell Street.

B. Annual Town Meeting Articles – (60 minutes)

Board to consider voting to take a position on the following articles:

Article 4	Fiscal Year 2020 Budget
Article 5	Fiscal Year 2020 Capital Projects Fund
Article 6	Budget Transfers
Article 7	Supplemental Budget Appropriations
Article 8	Stabilization Fund
Article 9	Free Cash
Article 10	Unexpended Appropriations
Article 11	General Housekeeping Articles (A-G)
Article 12	Granting Easements
Article 13	Unpaid Bills
Article 17	Sign Shop Revolving Fund
Article 18	PEG Access and Cable Related Fund Expenses
Article 19	Overlay Surplus Transfer For Property Revaluation
Article 20	Elderly/Disabled Transportation Program
Article 23	Stabilization Fund Bond Premium
Article 42	Student Device Refresh
Article 53	Columbia Gas Reimbursement of Costs Incurred
Article 55	Andover High School Feasibility Study Committee
Article 60	Sanborn School Site Improvements

Article 61	River Road Senior Residential Community Overlay District Change in Age Restrictions (PWA)
Article 64	Spring Grove Cemetery Transfer of Property

C. Annual Town Meeting Articles Withdrawn – (5 minutes)

Board to consider voting to take ‘no action’ on the following articles:

Article 50	Amend Andover Zoning Bylaw Section 9.63: Signs
Article 51	Amend Andover Zoning Bylaw Definitions
Article 52	Amend Andover Zoning Bylaw Article VIII
Article 65	Amend Andover Zoning Bylaw Article XIII

**VI. Consent Agenda**

A. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved:

Department	Name	Position	Rate/Term	Date of Hire
Community Services – Recreation	Katelyn Kendrigan	Seasonal	\$11.25/hour	4/8/2019
Community Services – Recreation	Kelly Conklin	Summer Program Director	\$22.00/hour	4/1/2019
Community Services – Recreation	Cam Farnham	Summer Program Director	\$19.00/hour	4/1/2019

**VII. Adjourn**

*If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Toni Magras in the Town Manager’s Office at 978-623-8215 or by email at [tonia.magras@andoverma.us](mailto:tonia.magras@andoverma.us)*

MEETINGS ARE TELEVISED ON  
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45

January 28, 2019

Austin P Simko

Town Clerk

Dear Mr. Simko,

Reference is made to your letter of January 14, 2019 regarding the expiration of the term of Brian Major, a member of the Board of Registrars.

On January 24, 2019 the Andover Republican Town Committee voted to recommend unanimously the reappointment of Mr. Major.

Your attention to this matter is much appreciated.

Sincerely,

  
John F Moffitt

Chairman of the Andover Republican Town Committee

Cc: Alex Vispoli, Chair Board of Selectmen

Andrew Flanagan, Town Manager

Brian P Major, Registrar

RECEIVED  
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2019 JAN 29 P 12: 54

TOWN OF ANDOVER, MASS

RECEIVED  
TOWN CLERK'S OFFICE

2019 FEB 28 P 5:22

TOWN OF ANDOVER, MASS

February 27, 2019

Austin Simko  
Town Clerk & Chief Strategy Officer  
Town of Andover  
36 Bartlet Street  
Andover, Massachusetts 01810

Dear Mr. Simko,

I am writing to inform you that the Andover Democratic Town Committee met on February 27, 2019, and voted to nominate the following registered Democrats to the Board of Registrars of Voters for the Town of Andover:

1. Champa Bilwakesh
2. Diane Riemer
3. Amy Sennett

Please inform me when the Board of Selectmen intends to vote on these positions. Thank you for your time and attention to this important matter. Please do not hesitate to reach out to me if you have any questions or concerns.

Sincerely,

Joe Thibodeau  
Chair, Andover Democratic Town Committee  
(978) 886-8089  
Joseph.Thibodeau02@gmail.com

March 3, 2019

**Reappointment to the Andover Board of Registrars**

Selectman Chairman Alex Vispoli and the member of the Board of Selectmen,

It has been my honor to serve as the Chairman of the Andover Board of Registrars since you unanimously confirmed my appointment last year. It has especially been a pleasure to work with my fellow Board members Michael Sassin, William Melahn and Andover's Town Clerk & Chief Strategy Officer Austin Simko. Over the past 12 months, our Board has remained quite active (1) coordinating multiple voter registration sessions (Andover Days and Andover High School); (2) managing a well-structured and efficient Congressional Election Recount; (3) running a very successful Early Voter session leading up to last fall's statewide elections; and (4) preparing for a potential state audit of our election processes. It is my desire to continue to serve the Town of Andover as a member of the Board of Registrars and would appreciate your continued support.

Over the previous 25 years, I have actively served the Town of Andover and the greater Andover community in multiple capacities:

- Board of Selectmen (18 years)
- Andover Youth Council (3 years)
- Andover Board of Registrars (1 year)
- Chairman of the Andover Electronic Voting Committee (1 year)
- Town Meeting Counter
- Merrimack Valley Chamber of Commerce
- Greater Lawrence Kiwanis Club
- St Augustine Church Knights of Columbus
- Chairman of the North Essex Boy Scout District (Andover, Lawrence, Methuen and N Andover)
- Boy Scout Troop 75 Scoutmaster and Assistant Scoutmaster
- Cub Scout Pack 76 Cubmaster and Assistant Cubmaster
- Andover Holiday Happenings – volunteered for many years as the main attraction
- Ballardvale Tree Lighting – have lead the caroling for many years
- Andover Youth Wrestling Coach
- President of the Andover High School Wrestling Boosters
- Announcer and Scorekeeper for Andover High School Wrestling
- Announcer for Andover High School Girls Soccer
- Chairman of the Christ Church Children's Center Playground Construction Committee
- Andover Youth Girls Softball Coach

I love our community and thoroughly enjoy continuing to serve her in any way that I can.

Thank you,

*Brian P. Major*

Brian P. Major  
11 Odyssey Way  
Andover, MA 01810

## Tonia Magras

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**From:** champa bilwakesh <champa\_b@yahoo.com>  
**Sent:** Monday, March 4, 2019 4:09 PM  
**To:** Alexander Vispoli; Laura Gregory; Chris Huntress; Paul Salafia; Annie Gilbert  
**Cc:** Austin Simko  
**Subject:** Board of Registrars

Champa Bilwakesh  
5 Garfield Lane East  
Andover, MA 01810  
March 4, 2019

To the Board of Selectmen:

I am seeking a position on the Board of Registrars of Andover. I thought I will share a little about me:

When I arrived in the United States with my husband, who was at the time in graduate school at Ohio State University, it was in the midst of protests over the Vietnam War, civil rights, and equal rights for women. Soon after I arrived, I obtained a work permit and worked in the accounting department of the Lazarus Department Store and later in Data Processing at Ohio Bell. Eventually we both got our green cards and became permanent residents, became parents of our two children, and I obtained my business degree before we moved to Andover. Andover has been our home for the last 40 years.

One of the things that deeply impressed me in those early days in the US was the faith Americans have in the Constitution and the Bill of Rights, and in the power of legislation to bring about change. I knew how deeply those changes would impact my life, liberty, and happiness. I filed for and obtained my US citizenship and since then I have voted in every election, local and national. I have campaigned for local and national level candidates, supported them with donations, knocked on doors and made phone calls for them, promoted voter registration, and attended caucuses. I believe elections are the foundation of democracy and that voting rights are sacred.

I have been a poll worker at Andover for the last 5 years. It has involved addressing the issues of voters' registration status, resolving the issues while preserving their right to vote, dissemination of instructions and ballots to voters, the tallying of records at the end of each session, processing absentee votes, and other tasks as required such as ensuring the integrity of the ballot box. My interest in being on the Board of Registrars stems from my belief that it is my civic duty to play an active role in that part of government that ensures our most fundamental of rights – the right to choose our representatives by vote. What I offer is my capability to understand issues, election laws, regulations and procedures governing elections, my time and availability for

any training sessions required, and my commitment to diligently execute the functions as a team member of the board.

Respectfully,

Champa Bilwakesh

Copy to Austin Simko, Town Clerk

## Tonia Magras

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**To:** Annie Gilbert  
**Subject:** RE: Board of Registrars

**From:** Diane Riemer <[driemer39@gmail.com](mailto:driemer39@gmail.com)>

**Sent:** Thursday, February 28, 2019 12:27 PM

**To:** Alexander Vispoli; Laura Gregory; Chris Huntress; Paul Salafia; Annie Gilbert

**Cc:** Joseph Thibodeau

**Subject:** Board of Registrars

Good afternoon,

Please consider my interest in voter participation in the electoral process and my experience in this area for a position on Andover's Board of Registrars. My nomination comes from the Andover Democratic Town Committee.

I see from the Town of Andover website that the purpose of the Board of Registrars is to assist the Town Clerk's Office in promoting and maintaining voter registration. Here is the experience I can offer that supports that purpose:

- Automatic Voter Registration Lobby Day, Beacon Hill, January 2018
- Numerous voter registration events (Boston and Lowell) for newly naturalized U. S. citizens
- Instrumental in developing and implementing a project (through Greater Andover Indivisible) to identify eligible, but unregistered Andover residents, segment them and send demographic specific postcards with voter registration details and deadlines to these residents

I see from past Board of Registrar Meeting minutes, that the board also plays a role in elections. Here is the experience I can offer that supports that role:

- Observer for Lawrence Recount for 2018 D3 Primary
- Collected final Andover vote counts for 2018 Mid-Term elections and relayed to Mass Dems on Election night

Please let me know if there is anything more you would like to know about my background and experience.

Best regards,  
Diane



311 Lowell Street, Apt 2315  
Andover, MA 01810

March 8, 2019

Board of Selectmen  
Andover Town Offices  
36 Bartlett Street  
Andover, MA 01810

To the Board of Selectmen:

I write to express my interest in serving as a member of the Town of Andover's Board of Registrars. I am honored to have been nominated by the Andover Democratic Town Committee for this opportunity because I believe our country is at a critical juncture, facing unprecedented challenges to our voting rights and genuine questions about the integrity of our elections. Left unaddressed, these issues threaten public trust in government. Yet because of the local nature of our election processes, municipal government is uniquely positioned to restore and bolster this trust. While Andover has historically performed well in securing voting rights and conducting accurate elections, we need a sophisticated, engaged Board of Registrars ready to lead our community and our Commonwealth into the future on these issues. I believe that my legal training, election experience, and passion for voting rights issues make me the best nominee for membership on the Board of Registrars.

As a member of the Massachusetts bar since 2012, I bring deep legal training and diverse legal experience to the role. A cum laude graduate of Harvard Law School, I am currently Deputy General Counsel at Catalant Technologies, Inc., a Boston-based software company. In this role, I am responsible for a wide variety of legal and compliance matters that require attention to detail, careful planning, and sound business and legal judgment. I spend a significant amount of time developing and conducting trainings for other parts of the business and must work collaboratively and cross-functionally. Prior to this role, I worked as a litigation associate at the national law firm WilmerHale LLP, where I focused my practice on government and internal investigations. This legal training will help me in carrying out many of the responsibilities of the Board of Registrars, including assisting the Town Clerk's office in promoting voter registration, maintaining voter registration, certifying signatures on nomination papers and petitions, certifying absentee voter applications, investigating challenges to local nomination papers, and conducting recounts.

Most recently, I played leading legal role with the Committee to Elect Dan Koh, the political committee for my husband's campaign in the Democratic primary for Massachusetts' Third Congressional District. As you know, that primary election resulted in a district-wide recount, and I participated in numerous municipal recounts across the Third District, including the recount in Andover, as an advocate for the Koh campaign. As a result, I gained a tremendous amount of knowledge and insight into the election and recount process and the role of the Town

Clerk and Board of Registrars, including, but not limited to, the operations of voting machines, the handling of write-in ballots, the process for hand counting ballots, and the rules for acceptance of absentee ballots and Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) ballots. In addition, I had the opportunity to observe the workings of our current Board of Registrars and members of the Town Clerk's staff, led by Town Clerk Austin Simko. In response, I have nothing but high praise for their professionalism and attention to detail in conducting the initial election and the recount. Indeed, Andover's election operations stand out as exceptionally well-organized and accurate in comparison to many of the other 38 municipalities involved in the Third District recount.

That said, we are in a time of both unprecedented civic engagement and unprecedented scrutiny of our election system. I believe that town government and the Board of Registrars can do more to educate and empower voters in Andover and to serve as a model for other neighboring municipalities. Based on my experience interacting with new or infrequent voters, I would like to advocate for greater communication of deadlines to register to vote and request and return absentee ballots. We should also strive to increase enrollment of new voters through outreach to those residents just reaching voting age and new residents moving into Andover. We also need to continue to find and train skilled volunteers to staff our polling places, as they are a critical first line of defense to ensure that every voter is afforded a fair and efficient opportunity to cast a ballot.

In addition, we need a Board of Registrars with the talent and interest to take the initiative to stay informed on the changing landscape of election laws in the Commonwealth. At present, a multitude of election-related bills and other legislative initiatives are circulating at the State House, addressing issues such as automatic voter registration, same day voter registration, expansion of early voting, and reforms to the process for accessing absentee ballots. Given my interest in this area, I have also been closely following a proposal to change the primary election timing from September to April as well as a push for ranked choice voting, the later of which would require a significant investment in voter education and poll worker training. I am actively tracking much of this legislation, and I believe my engagement on these issues would help to ensure that Andover remains a regional leader and exemplar of best practices in election processes.

I am eager to put my training, experience and passion for these issues to work in service to my community, and I am honored by your consideration of my nomination for membership on the Board of Registrars. I welcome the opportunity to answer any additional questions you may have, and I am available at your convenience on my mobile phone at 414-791-9996. Thank you again for your consideration of me for this critical and meaningful role.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy J. Sennett". The signature is fluid and cursive, with the first name "Amy" being more prominent.

Amy J. Sennett

**W A R R A N T**  
**THE COMMONWEALTH OF MASSACHUSETTS**  
**ESSEX, SS.**

<b>ARTICLE 4</b>	<b>FISCAL YEAR 2020 BUDGET</b>
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To see if the Town will vote to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020, or take any other action related thereto.

*On request of the Town Manager*

<b>ARTICLE 5</b>	<b>FISCAL YEAR 2020 CAPITAL PROJECTS FUND</b>
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To see if the Town will vote to raise by taxation and appropriate a sum of money for the purpose of funding the Fiscal Year 2020 appropriation for the Capital Projects Fund, or take any other action related thereto.

*On request of the Town Manager*

<b>ARTICLE 6</b>	<b>BUDGET TRANSFERS</b>
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To see if the Town will vote to transfer from amounts previously appropriated at the April, 2018 Annual Town Meeting as authorized by Massachusetts General Laws Chapter 44, Section 33B, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 7</b>	<b>SUPPLEMENTAL BUDGET APPROPRIATIONS</b>
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To see if the Town will vote to transfer from available funds a sum of money to supplement appropriations voted at the April, 2018 Annual Town Meeting, or take any other action related thereto.

*On request of the Town Manager*

<b>ARTICLE 8</b>	<b>STABILIZATION FUND</b>
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To see if the Town will vote to appropriate and raise from taxation or available funds a sum of money to the Stabilization Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003, or take any other action related thereto.

*On request of the Town Manager*

<b>ARTICLE 9</b>	<b>FREE CASH</b>
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To see what amount the Town will vote to permit the Assessors to use in Free Cash to reduce the Fiscal Year 2020 tax rate and to affect appropriations voted at the 2019 Annual Town Meeting, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 10</b>	<b>UNEXPENDED APPROPRIATIONS</b>
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To see what disposition shall be made of unexpended appropriations and Free Cash in the treasury, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 11</b>	<b>GENERAL HOUSEKEEPING ARTICLES (A THROUGH G)</b>
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To see if the Town will vote the following consent articles, or take any other action related thereto:

- A. **Grant Program Authorization** To see if the Town will vote to authorize the Board of Selectmen and/or the Town Manager to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Andover by the Commonwealth of Massachusetts or the U.S. Government under any State or Federal grant program, or take any other action related thereto.

*On request of the Town Manager*

- B. **Road Contracts** To see if the Town will vote to authorize the Town Manager to enter into a contract with the Massachusetts Highway Department Commissioners or the Federal Government for the construction and maintenance of public highways in the Town of Andover for the ensuing year, or take any other action related thereto.

*On request of the Town Manager*

- C. **Town Report** To act upon the report of the Town officers, or take any other action related thereto.

*On request of the Town Manager*

- D. **Property Tax Exemptions** To see if the Town will vote to accept the provisions of Section 4, Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 to allow an additional property tax exemption for Fiscal Year 2020 for those persons who qualify

for property tax exemptions under Massachusetts General Laws Chapter 59, Section 5, or take any other action related thereto.

*On request of the Board of Assessors*

- E. Contracts in Excess of Three Years** To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b) to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts for terms exceeding three years but no greater than five years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interests of the Town by a vote of the Board of Selectmen or the School Committee, as appropriate, or take any other action related thereto.

*On request of the Town Manager*

- F. Accepting Easements** To see if the Town will vote to authorize the Board of Selectmen and the School Committee to accept grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board and the Committee deem in the best interests of the Town, or take any other action related thereto.

*On request of the Town Manager*

- G. Rescinding of Bond Authorizations** To see if the Town will vote to rescind unissued bond authorizations from prior Town Meetings, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 12</b>	<b>GRANTING EASEMENTS</b>
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To see if the Town will vote to authorize the Board of Selectmen and the School Committee to grant easements for water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board and the Committee deem in the best interests of the Town, or take any other action related thereto.

*On request of the Town Manager*

<b>ARTICLE 13</b>	<b>UNPAID BILLS</b>
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To see if the Town will vote to transfer from available funds a sum of money to pay unpaid bills for which obligations were incurred in prior fiscal years, or take any other action related thereto.

*On request of the Town Accountant*

<b>ARTICLE 17</b>	<b>SIGN SHOP REVOLVING FUND</b>
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To see if the Town will vote to amend Section 48 of Article XII and establish and authorize a new revolving fund for use by certain town/city departments, boards, committees, agencies or officers under Massachusetts General Law Chapter 44, Section 53E 1/2, and amend the table of Authorized Revolving Funds by inserting a new row after "Health Services" to read:

Sign Shop	Director of Public Works	Sign production revenue	Sign production and supplies expenses	Fiscal Year 2020 and subsequent years
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*On request of the Director of Public Works*

<b>ARTICLE 18</b>	<b>PEG ACCESS AND CABLE RELATED FUND EXPENSES</b>
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To see if the Town will vote to appropriate cable franchise fees and other cable-related revenues to support PEG access services, cable related expenses, and oversight of the cable franchise agreements for fiscal year 2020, which begins on July 1, 2019, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 19</b>	<b>OVERLAY SURPLUS TRANSFER FOR PROPERTY REVALUATION</b>
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To see if the Town will vote to transfer \$32,000 from Overlay Surplus to fund the FY2020 property tax revaluation, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 20</b>	<b>ELDERLY/DISABLED TRANSPORTATION PROGRAM</b>
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To see if the Town will vote to appropriate and raise by taxation a sum not to exceed \$14,000 for the purpose of continuing to provide for an elderly and disabled transportation subsidy program, or take any other action related thereto.

*On request of the Council on Aging*

<b>ARTICLE 23</b>	<b>STABILIZATION FUND BOND PREMIUM</b>
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To see if the Town will vote to transfer the sum of \$100,000 from the Bond Premium Stabilization Fund to the General Fund to offset non-exempt debt interest payments, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 42</b>	<b>STUDENT DEVICE REFRESH</b>
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To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of \$372,870 for the purpose of purchasing services and materials related to replacing student technology devices, including any other costs incidental and related thereto, or to take any other action related thereto.

*On request of the Chief Information Officer*

<b>ARTICLE 53</b>	<b>COLUMBIA GAS REIMBURSEMENT OF COSTS INCURRED</b>
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To see if the Town will vote to transfer a sum of money from the Insurance Proceeds in Excess of \$150,000 account and appropriate it to fund various general fund operating account deficits due to the Columbia Gas Disaster, or take any other action related thereto.

*On request of the Finance Director*

<b>ARTICLE 55</b>	<b>ANDOVER HIGH SCHOOL FEASIBILITY STUDY COMMITTEE</b>
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To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of \$210,000 for the purpose of purchasing services and materials related to the Andover High School Feasibility Study, including any other costs incidental and related thereto, or to take any other action related thereto.

*On request of the Andover School Committee*

<b>ARTICLE 60</b>	<b>SANBORN SCHOOL SITE IMPROVEMENTS</b>
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To see if the Town will vote to amend its action taken under Article 40 of the Warrant at the 2015 Annual Town Meeting, which vote authorized the borrowing of \$319,000 for the purpose of paying for the design and engineering services for making school site safety, circulation, drainage and infrastructure improvements at the West Elementary School, including the payment of all costs incidental and related thereto, so that such funds may, instead, be borrowed and expended to pay costs of design, engineering and construction services for the Sanborn Elementary School, including the payment of all other costs incidental and related thereto, or to take any other action relative thereto.

*On request of the Director of Facilities*

<b>ARTICLE 61</b>	<b>RIVER ROAD SENIOR RESIDENTIAL COMMUNITY OVERLAY DISTRICT CHANGE IN AGE RESTRICTIONS</b>
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To see if the Town will vote to amend the Zoning Bylaw, Article VIII, Section 8.8 in order to allow residents 55 and older to live in the Senior Residential Community Overlay District on River Road by deleting the age of "62" wherever it appears in Zoning Bylaw Section 8.8 and replacing

it with the age of "55". The resulting Subsections of Section 8.8, as so amended, to read as follows:

**8.8.1 Purpose.**

The intent of this section is to allow flexibility in the development of parcels for housing and related services for persons 55 or older, with particular interest in meeting the needs of residents of Andover. The objectives of this section are to achieve the following purposes:

**8.8.3 Definitions.**

For the purpose of this section of the by-law, the following definitions shall apply:

**Senior** – Any person having reached the age of fifty-five (55) years.

**Senior Household** – Any household having at least one person 55 years or older.

**Aging Population** – Population having reached the age of 55 years or older.

**8.8.5 Dimensional Requirements and Design Standards.**

15. Age Restrictions. All dwelling units within the SRCOD shall require at least one resident to have attained the age of 55 and no resident shall be under the age of 18. Prior to issuance of the first building permit for a building, the applicant shall record a restriction, approved by Town Counsel, that all units shall require at least one resident to have attained the age of 55 and that no resident of a dwelling unit shall be under the age of 18.

**8.8.8. Bonus.**

**Affordable Housing:** The objective is to provide additional alternative affordable housing options for seniors in Andover having reached the age of fifty-five (55). The number of dwelling units (Independent Living, Congregate Care or Assisted Living Units) may be increased by two (2) market rate dwelling units for each one (1) additional affordable unit.

*On request of Mark Johnson and others*

<b>ARTICLE 64</b>	<b>SPRING GROVE CEMETERY TRANSFER OF PROPERTY</b>
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To see if the Town will vote to transfer the care, custody and control of the Property located on Spring Gove Road shown as "Area to be conveyed from the inhabitants of the Town of Andover to J&J Ball Realty Trust Area = 8,496 S.F." shown on a "Plan of Land in Andover, Massachusetts showing Land to be Conveyed from the Inhabitants of the Town of Andover to J&J Ball Realty Trust, 47 Spring Grove Road, Andover, Massachusetts dated January 13, 2017, Revised January 14, 2019" prepared by Merrimack Engineering Services (on file at the Clerk's Office) which is part of the Spring Grove Cemetery to the care, custody and control of the Selectmen for the purposes of conveying said parcel to J&J Realty Trust and to authorize the Selectmen to convey said parcel to J&J Realty Trust in consideration of the sum of at leaset \$7,800; and to petition the Legislature to pass a Special Act in accordance with Mass. General Laws, ch. 114, §17, because the cemetery has been used as a burial place for more than one hundred years, and any other applicable law to authorize the above transfer, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition, or take any action related thereto.

*On request of Mark Johnson and others*

**W A R R A N T**  
**THE COMMONWEALTH OF MASSACHUSETTS**  
**ESSEX, SS.**

“No Action” Articles

<b>ARTICLE 50</b>	<b>AMEND ANDOVER ZONING BYLAW SECTION 9.6.3: SIGNS</b>
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To see if the town will amend Section 9.6.3. of the Zoning Bylaw by deleting the words “or a sign larger than four square feet” in the first sentence and inserting in place thereof with the following “signs as listed in Section 5.2.4.3. of this Bylaw”

*On request of the Planning Director*

<b>ARTICLE 51</b>	<b>AMEND ANDOVER ZONING BYLAW DEFINITIONS</b>
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To see if the Town of Andover will vote to amend the Andover Zoning Bylaw, Article VIII, Section 10 Definitions by deleting the definition of “Sign” and replace with the following:

Sign: A sign shall consist of any of the following elements:

- a. Lettering, words, numerals, emblems, trademarks, logos, images, drawings, pictures, graphics, pennants, streamers, or other devices of any material or construction, however displayed, whether as an independent structure or as part of a building or other structure;
- b. Any visual device that informs, attracts or draws the attention of persons outside the premises on which the device is located, including messages within or attached to windows and doors;
- c. Any lighting device or fixture, whether integral to the building façade or attached to it, which attracts or draws attention to the building or structure on which it is located and lighting of a building façade or its architectural elements. Sconces, attached to a ground floor of building, which comply with all of the lighting regulations of this bylaw, shall not be considered a sign.

*On request of the Planning Director*

<b>ARTICLE 52</b>	<b>AMEND ANDOVER ZONING BYLAW ARTICLE VIII</b>
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To see if the Town of Andover will vote to amend the Andover Zoning Bylaw, Article VIII, Section 5.2 by deleting the current text and replace in its entirety with the following:

**5.2 SIGNS.**

**5.2.1 Findings and Purpose.**

**A. Findings**

1. The regulation of signs is necessary to serve the substantial governmental interests of the Town of Andover in protecting its natural, scenic, historic, cultural, and aesthetic qualities by preserving and enhancing the appearance of commercial, residential, and industrial buildings and by

preserving and enhancing the appearance of public streets, parks and other public properties, while minimizing sign clutter and excessive illumination.

2. The regulation of signs will improve the town's appearance; make the town's commercial, residential, and industrial areas more attractive for development; and by doing so enhance the economic climate of the town.

3. The regulations set forth herein will directly advance public safety by protecting driver's sightlines, reducing glare and reducing driver distractions.

4. The public interest is served by signs that identify the products or services provided at that specific location.

#### **B. Purpose**

The purpose of this bylaw is to regulate the quantity, size, location and illumination of signs. Signs must be regulated to:

1. Preserve the historical ambiance and established aesthetic character of the town, including the unique aesthetic character of every neighborhood;

2. Prevent conditions which could contribute to visual clutter and blight;

3. Restrict signs and illumination which overload the public's capacity to receive information or which increase the probability of accidents by distracting attention or obstructing visibility;

4. Require accurate communication that informs the public;

5. Minimize adverse effects on nearby public and private property;

6. Prevent excessive illumination and light pollution to help conserve energy and foster an equitable aesthetic environment where every business, large or small will be noticed;

7. Promote a desirable aesthetic environment to attract new business.

#### **5.2.2 Definitions.** In this bylaw, the following terms shall apply:

1. **Attached Sign:** A sign that is either attached parallel to the facade of a building facing in the same direction as the facade, or displayed on an awning or fixed canopy of a building.

2. **Awning or Fixed Canopy:** A fixed or retractable structure, whether made of canvas, plastic, metal or other material, placed over a door or window. Awnings and fixed canopies themselves shall not be considered signs, but lettering, symbols or graphic elements appearing on the body of awnings and fixed canopies shall constitute an Attached Sign. The sign area of an awning or fixed canopy shall consist of the area encompassed by any lettering, symbols or graphic elements distinct from the background.

3. **Double-sided Sign:** A freestanding or projecting sign having two parallel opposite faces separated by a distance of not more than 12 inches. A sign with two opposite faces that are not parallel shall be considered a double-sided sign if the two faces are joined to each other, or to a common support structure, at one end, and the angle of separation between the two faces does not exceed 30°.

4. **Freestanding Sign:** A sign that is supported by its own support structure and is not attached to a building or other structure.

5. **Internally Illuminated Sign:** A sign that is illuminated by a light source internal to the sign utilizing translucent panels, canvas, fabric or other similar components to create an image by allowing light to pass through.

6. **Monument Sign:** A type of freestanding sign integrated into an ornamental base usually made of stone or brick oriented toward pedestrians and vehicles.

7. **Municipal Property:** Land owned by the Town of Andover whether developed or open space including parks, play fields and schools.

8. **Municipal Sign:** A sign on Municipal Property.

9. **Nonconforming Sign:** A sign, including its support structure, that does not conform to the regulations prescribed in this bylaw, but which was in existence at the time the regulations became effective and was lawful at the time it was installed or erected.

10. **Open Space:** Public or Private lands accessible to the public at no cost, for passive recreation such as hiking, bird watching, fishing, photography, cross country skiing, biking or other activities which do not alter or disturb the terrain and which conserve natural and scenic resources, protect air, streams or water supply, and enhance the value of the land to the public.

11. **Projecting Sign:** A sign attached to and mounted perpendicular to the façade of a building.

12. **Reverse lit/back lit/halo Sign:** An illuminated sign in which the illumination emanates from behind or at the perimeter of the graphic elements or lettering of the sign message, so as to form a halo-like effect around the graphics and/or lettering of the sign.

13. **Sign:** A sign shall consist of any of the following elements:

a. Lettering, words, numerals, emblems, trademarks, logos, images, drawings, pictures, graphics, pennants, streamers, or other devices of any material or construction, however displayed, whether as an independent structure or as part of a building or other structure;

b. Any visual device that informs, attracts or draws the attention of persons outside the premises on which the device is located, including messages within or attached to windows and doors;

c. Any lighting device or fixture, whether integral to the building façade or attached to it, which attracts or draws attention to the building or structure on which it is located; also, lighting of a building façade or its architectural elements. Sconces, attached to a ground floor of a building, which comply with all of the lighting regulations of this bylaw, shall not be considered a sign.

14. **Sign Area:** The area of the smallest horizontal or vertical rectangle enclosing the entire display area of the sign. The display area of a sign is the entire area, different in color and/or composition from the facade or common trim of the building, used to frame or provide a background for the sign. The measurable display area shall also include decoratively lighted sign support structures if such elements are present. The area of double-sided signs shall be calculated using the area of only one face of the sign.

15. **Sign Height:** The distance measured from the ground level at the base of the sign to the top of the sign or top of the support structure, whichever is higher. For freestanding signs, the land under or surrounding the sign may not be built up or elevated to reduce the calculated height of the sign.

16. **Sign Support Structure:** Any device, such as a pole, bracket or post, used to support a sign. The sign support structure shall be excluded from the calculation of the sign area if it a.) contains none of the elements described in § 5.2.2.13 above, and b.), for freestanding signs, the total width of the support structure is less than twenty-five percent (25%) of the width of the sign.

17. **Temporary Sign:** A non-permanent sign of any shape or configuration that is self-supporting and not permanently fixed to the ground or to another structure that is displayed for a limited duration. Temporary signs may be exterior (displayed on the exterior or outside of a structure) or interior (displayed from the inside of a structure, viewed from the outside through a window or other opening). Exterior signs shall be securely anchored so as not to be dislodged or blow over.

### **5.2.3 General Provisions.**

1. *Exemptions.* The following signs shall be exempt from the provisions of this bylaw:

a. Flags of any government, except when they are displayed in connection with the advertising or promotion of a commercial product or service.

b. Legal notices required by the town, state or federal government.

c. Integral decorative and architectural features of buildings, historic lettering/trademarks and historic plaques.

- d. On-premises signs, having an area not to exceed two (2) square feet, and a height not to exceed four (4) feet, and intended only to direct traffic and parking or warn of a safety hazard.
- e. On valances of awnings or fixed canopies, lettering, symbols, or graphic elements not exceeding six (6) inches in height and not exceeding seventy-five percent (75%) of the height of the valance.
- f. On awnings or fixed canopies, one (1) symbol or graphic element, without text, not exceeding five (5) square feet per awning.
- g. Signs located on facilities or land under the care and control of the Massachusetts Bay Transportation Authority (MBTA).
- h. Banners installed subject to the provisions of the Andover General Bylaw, Article XII § 44.

2. *Maintenance.* All signs shall be maintained in a safe and well maintained condition to the satisfaction of the Inspector of Buildings and in accordance with the Commonwealth of Massachusetts State Building Code, 780 CMR.

3. *Nonconforming Signs.*

- a. Any nonconforming sign and/or support structure if legally permitted and installed or erected prior to the adoption of this bylaw, or any amendments thereto, which remains un-altered in any way, may be continued and maintained, subject to the provisions of Section 3.3.6. of this bylaw.
- b. Nonconforming signs shall not be enlarged, rebuilt, restored or altered except in conformity with this bylaw.

c. Any nonconforming sign which has been destroyed or damaged to the extent that the cost of repair or restoration will exceed 1/3 of the replacement value as of the date of such damage or destruction shall not be repaired, rebuilt, restored or altered except in conformity with this bylaw.

4. *Liability.* No sign shall project more than five feet over any public right-of-way or other municipal property. Any sign projecting over a public right-of-way shall be covered by liability insurance in the amount of \$2,000,000 as verified by a certificate of insurance filed with the Town Clerk naming the Town of Andover as additional insured.

5. *Enforcement:* The Building Inspector shall give written notice of violations. Failure to conform to the sign regulations within 30 days of the notice of violations may result in fines in accordance with Section 9.1 of this Bylaw. Signs on the public right-of-way or public property may be removed immediately by the Inspector of Buildings or his representative.

6. *Special Permits:* The Board of Appeals may grant special permits to allow signs not in conformity with this bylaw in specific cases where necessary to comply with other applicable laws; and/or where unnecessary hardship will result to the owner of the sign provided that the requested relief will not substantially derogate from the intent and purpose of this bylaw.

7. *Criteria for a Special Permit.* The Special Permit Granting Authority shall be the Board of Appeals. When acting upon an application for a special permit, the Board of Appeals shall consider the following:

- a. The character of the proposed sign and its suitability to the building or structure and the surrounding neighborhood.
- b. Its relationship to the architectural style, size and scale of the building or structure and the surrounding neighborhood.
- c. The impact of the size and illumination of the sign on other establishments and properties in the surrounding neighborhood.
- d. The recommendations of the Design Review Board and such other factors as the Board of Appeals deems appropriate in order to assure that the public interest is protected.

#### **5.2.4 Sign Permit.**

1. Unless specifically exempt or provided for elsewhere in this section, no sign, including municipal signs, shall be installed, erected, enlarged, redesigned or structurally altered without a sign permit issued by the Inspector of Buildings.
2. A completed sign permit application, fulfilling all requirements for requested materials and documents and specifying all pertinent dimensions and materials, shall be submitted to the Inspector of Buildings prior to installation or alteration of any sign.
3. Review by the Design Review Board (DRB). Pursuant to Section 9.6.2. and 9.6.3., the DRB shall review an application for: (a) a municipal sign in any district; (b) in non-residential districts, permanent signs greater than four (4) square feet, including but not limited to signage associated with uses requiring a building permit, a special permit, or a variance; (c) in SRA, SRB and SRC Districts, signage requiring a special permit or variance or associated with uses subject to DRB review (see 9.6.3.); (d) and in APT Districts, all permanent signs over four (4) square feet. The DRB shall submit its recommendations, if any, to the Inspector of Buildings. Applications for review by the DRB shall be submitted on an application form specified by the DRB.

**5.2.5 Prohibited Signs and Devices.** Any sign not explicitly allowed in this bylaw shall be prohibited. In addition:

1. No sign shall be lighted, except by a steady external and stationary light source which is fully shielded, and directed solely at the sign, and which has a CCT (Color Control Temperature) not exceeding three thousand (3,000k) Kelvins.
2. No illumination shall be allowed which casts glare onto any premises or onto any portion of a way so as to create a hazard.
3. No signs shall be illuminated between the hours of 11:00 p.m. and 7:00 a.m. unless the establishment is open to the public or unless authorized by a special permit. Public safety signs are excluded (e.g. street numbers, hazard signs) as are ATM machines and gas pumps.
4. No sign shall be illuminated by any color other than colorless or white light except for temporary holiday lighting. The CCT shall not exceed three thousand (3,000k) Kelvins.
5. No animated, revolving, flashing, audible, changing copy, video, inflatable, laser-projected, moving, feather style, changing light intensity, reverse lit/back lit/halo, exposed neon or similar exposed gaseous, tube illuminated signs shall be allowed (excluding holiday decorations).
6. Off-premises signs. Signs which advertise a commercial activity, business, product or service not produced or conducted on the premises upon which the sign is located shall be prohibited.
7. No permanent or temporary sign shall be installed which obstructs visibility for pedestrians or motorists at any intersection, driveway, sidewalk or crosswalk.
8. No exterior attached sign shall cover any portion of a window or door including the casing.
9. No sign shall be allowed on the roof of any building and no portion of a sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached.
10. No sign owned by an entity other than the Town of Andover (permanent or temporary) shall be installed on public Open Space, Municipal Property or on public rights-of-way, unless otherwise approved by the Board of Selectmen upon demonstration of a hardship.

**5.2.6 Permanent Signs allowed in all zoning districts.**

The following signs are allowed in all zoning districts and do not require a permit. (See specific permit requirements for each zoning district in § 5.2.8 through § 5.2.12):

1. Signs identifying the street address of a building shall not require a sign permit if they do not exceed two square feet in total area.

2. Open Space signs. The owners or stewards of Open Space land may install non-illuminated signs on Open Space. Signs with an area not exceeding thirty-five (35) square feet with no commercial speech shall not require a sign permit.

**5.2.7 Temporary Signs allowed in all zoning districts.**

1. Temporary signs shall not require a sign permit.

a. Temporary signs shall conform to all regulations within the zone where they are located (e.g. size, height, setbacks) unless otherwise specified in this section.

b. Signs shall be located on private property and shall not be illuminated.

c. Permanently installed sign support structures erected solely for the display of temporary signs are prohibited.

2. Open Space, Municipal Properties and Conservation land: only the owners or stewards of the land may install temporary signs.

3. Residential Districts

a. Signs shall be located a minimum of three (3) feet from the property line.

b. One (1) temporary sign shall be allowed for each commercial or construction activity (including associated sub-contractors) while such activity is occurring on the residential property (e.g. real estate, building contractors and sub-contractors). Additional commercial signs shall not be allowed.

4. Business and Industrial Districts

a. Interior temporary signs shall not exceed thirty percent (30%) of the transparent area of the windows and/or doors on which they are displayed.

b. The maximum allowed exterior signage shall be no greater than one (1) square foot per twenty feet of street frontage. For buildings with more than one occupant, the sign area for each occupant shall be proportional to the facade associated with each occupant's use.

**5.2.8 Signs in Residential Districts (SRA, SRB, SRC, APT).**

1. Single Family Residential Districts (SRA, SRB, and SRC). In addition to the signs allowed in §5.2.6 and §5.2.7 the following signs are allowed:

a. One permanent sign with an area not to exceed two (2) square feet, either attached or freestanding, shall not require a sign permit.

b. A permanent sign, either attached or freestanding, that exceeds two (2) square feet in area may be allowed by special permit. In no case, however, shall the sign area exceed six (6) square feet, or the sign height exceed three (3) feet.

c. Monument signs shall require a special permit.

2. Apartment Districts (APT). In addition to the signs allowed in § 5.2.6, the following signs are allowed:

a. One freestanding sign on each street on which the complex has street frontage, provided that the frontage also provides vehicular or pedestrian access to the complex. The sign area shall not exceed fifteen (15) square feet and the sign height shall not exceed six (6) feet.

**5.2.9 Signs in General Business (GB) and Mixed Use (MU) Districts**

In addition to the signs allowed in § 5.2.6 the following signs are allowed for commercial or business uses with a permit:

1. One (1) attached sign shall be allowed, oriented to each street, courtyard, and parking lot on which the commercial or business use has a facade, providing that such facade has either a window or a direct entryway into the use's space.

a. The sign may be either attached flat against the building or placed on an awning or fixed canopy.

- b. The sign area of a flat attached sign for each individual business use shall not exceed fifteen percent (15%) in the GB District or ten percent (10%) in the MU District of the portion of the facade associated with that business.
  - c. Flat attached signs oriented to the street shall not exceed fifty (50) square feet in the GB District or eighty (80) square feet in the MU District.
  - d. In the GB District only, flat attached signs oriented to a parking lot or a courtyard shall not exceed twenty-five (25) square feet in area unless they mark the primary entrance to a building or establishment, in which case the sign area shall not exceed fifty (50) square feet.
  - e. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning, and in no case shall they exceed twenty-five (25) square feet.
2. In addition to the above, each building that is set back a minimum of five (5) feet from the property line may install one freestanding sign, with a sign area not to exceed twelve (12) square feet in GB or twenty-five (25) square feet in MU. The sign height shall not exceed five (5) feet above ground level in GB or eight (8) feet above ground level in MU.
3. In addition to the above, each business may install one (1) projecting sign on each facade providing that such facade has either a window or a direct entryway into the use's space, subject to the following conditions:
- a. The sign area shall not exceed nine (9) square feet, excluding the sign support structure.
  - b. The bottom of a projecting sign shall be at least eight (8) feet above the ground or public way. The top of the sign shall be no more than twenty-five (25) feet above the ground or public way.
  - c. No sign shall project more than five (5) feet from the facade to which it is attached.
  - d. A larger sign may be allowed by special permit, but in no case shall a sign area exceed fifteen (15) square feet.
4. A building occupied by multiple commercial or business uses may install a single directory sign on each facade with street frontage or parking lot, either attached to the facade of the building or projecting from the building, which identifies those occupants. The total area of such a directory sign shall not exceed one (1) square foot per occupant.
5. Unlighted graphics, lettering or symbols with transparent background mounted on the inside of windows or transparent entry doors shall not exceed thirty percent (30%) of the glass or transparent area; letters and numbers shall not exceed three (3) inches in height. Such signage does not require a sign permit.

#### **5.2.10 Signs in Office Park Districts (OP) and Limited Service Districts (LS).**

In addition to the signs allowed in § 5.2.6 the following signs are allowed with a permit:

- 1. One (1) freestanding sign shall be allowed for each street upon which a building or complex has frontage:
  - a. The sign area shall not exceed twenty-five (25) square feet and the sign height shall not exceed eight (8) feet.
  - b. Properties along route 93 and route 495, with a special permit, may have a larger sign if required for legibility but under no circumstances shall it exceed twelve (12) feet in height. (See 5.2.5. Prohibited Signs and Devices.)
- 2. In addition to the above, one (1) attached sign is allowed for each street upon which a building or complex has frontage. The sign may be either attached flat against the wall or placed on an awning or fixed canopy. The sign area of a flat attached sign shall not exceed twenty-five (25) square feet. Signs displayed on the body of awnings or fixed canopies shall not exceed twenty (20%) percent of the area of the awning, and in no case shall they exceed twenty-five (25) square feet.

3. In addition to the above, each business shall be limited to one (1) sign (attached or projecting) for each street and parking lot on which the business has an entryway. The sign area shall not exceed four (4) square feet.
4. The Board of Appeals may grant, subject to the criteria of 5.2.3.7., a special permit for a second sign on a building facing a limited access, high-speed highway.

**5.2.11 Signs in Industrial G (IG) Districts.** In addition to the signs allowed in 5.2.3.7., the following signs are allowed:

1. One (1) or more signs attached flat against the wall or placed on an awning or fixed canopy of a building for each façade that provides direct entry into the building, subject to the following conditions:
  - a. The sign area of a flat attached sign shall not exceed twenty percent (20%) of the area of the side of the building to which it is attached or eighty (80) square feet, whichever is less. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
  - b. No portion of a sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached. Signs displayed on awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning, and in no case shall they exceed twenty-five (25) square feet.
2. In addition to the above, one (1) freestanding sign for each street on which the property has frontage, subject to the following conditions:
  - a. The area of each sign shall not exceed fifty (50) square feet.
  - b. No part of any such sign shall be more than eight (8) feet above ground level.
  - c. No sign shall be located closer than five (5) feet to any property line.
3. The Board of Appeals may grant, subject to the criteria of 5.2.4.2, a special permit for a larger sign. (See 5.2.5. Prohibited Signs and Devices.)

**5.2.12 Signs in Industrial A (IA) Districts.** In addition to signs allowed in 5.2.6, the following signs are allowed:

1. One (1) or more signs attached flat against the wall or placed on an awning or fixed canopy of a building for each façade that provides direct entry into the building, subject to the following conditions:
  - a. The total area of all such signs on a building shall not exceed twenty percent (20%) of the area of the side of the building to which they are attached, or two hundred (200) square feet, whichever is less. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
  - b. No portion of the sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached.
2. One (1) freestanding sign for each street on which the property fronts, subject to the following conditions:
  - a. The area of each sign shall not exceed one hundred (100) square feet.
  - b. No part of any such sign shall be more than fifteen (15) feet above ground level.
  - c. No such sign shall be located closer than five (5) feet to the property line.

**5.2.13 Signs in Industrial D (ID) Districts.** In addition to the signs allowed in 5.2.6, the following signs are allowed:

1. One (1) or more signs attached flat against the wall or placed on an awning or fixed canopy of a building, subject to the following conditions:
  - a. The total area of all such signs on a building shall not exceed ten percent (10%) of the area of the side of the building to which they are attached, or two hundred (200) square feet, whichever is less. Attached signs displayed the body of awnings or canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
  - b. No portion of the sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached.
2. In addition to the above, one (1) freestanding sign for each street on which the property fronts, subject to the following conditions:
  - a. The area of each sign shall not exceed one hundred (100) square feet.
  - b. No part of any such sign shall be more than twelve (12) feet above ground level.
  - c. No such sign shall be located closer than five (5) feet to any property line or the line of any street or way.

**5.2.14 Signs in Industrial Two (ID2) District.** In addition to the signs allowed in 5.2.6, the following signs are allowed:

1. One (1) attached sign shall be allowed, oriented to each street, courtyard, and parking lot on which the commercial or business use has a façade, providing that such façade has either a window or a direct entryway into the use's space.
  - a. The sign may be either attached flat against the building or placed on an awning or fixed canopy.
  - b. The sign area of a flat attached sign for each individual business use shall not exceed ten percent (10%) of the portion of the façade associated with that use.
  - c. Flat attached signs oriented to the street shall not exceed eighty (80) square feet.
  - d. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
2. In addition to the above, each business may install one (1) projecting sign on each façade providing that such façade has either a window or a direct entryway into the use's space, subject to the following conditions:
  - a. The sign area shall not exceed nine (9) square feet, excluding the sign support structure.
  - b. The bottom of a projecting sign shall be at least eight (8) feet above the ground or public way, and the top of the sign shall be no more than twenty-five (25) feet from the ground or public way.
  - c. No sign shall project more than five (5) feet from the façade to which it is attached.
  - d. A larger sign may be allowed by special permit, but in no case shall a sign area exceed fifteen (15) square feet.
3. A building occupied by multiple commercial or business uses may install one (1) directory sign on each façade with street frontage or parking lot, either attached flat against the façade of a building or projecting from the façade of the building, identifying those occupants. The total area of such a directory sign shall not exceed one square foot per occupant.
4. Unlighted graphics, lettering or symbols with transparent background mounted on the inside of windows or transparent entry doors shall not exceed thirty percent (30%) of the glass or transparent area; letters and numbers shall not exceed three inches in height. Such signage does not require a sign permit.

### **5.2.15 Design Guidelines for Signs.**

The following are further means by which the objectives stated in Section 5.2.1 can be served. These guidelines are not mandatory, but the degree of compliance with them shall be considered by the Special Permit Granting Authority in acting upon special permits, and by the Design Review Board as authorized hereunder.

#### **1. Efficient Communication.**

- a. Sign content normally should not occupy more than forty percent (40%) of the sign background, whether displayed on a sign board or displayed on an architectural element of a building.
- b. Non-verbal devices should be considered, in addition to text, as such graphic images can provide rapid and effective communication as well as character and enhance the owner's brand.

#### **2. Environmental Relationship.**

- a. Sign brightness should not be excessive in relation to ambient lighting levels and the CCT shall not exceed 3000k. (See 5.2.5.4)

#### **3. Relationship to Buildings.**

- a. Signs should be sized and located so as to not interrupt, obscure or hide the continuity of columns, cornices, eaves, sill lines or other architectural elements of a building, and wherever possible should reflect and emphasize the building's architectural form.
- b. Sign materials, colors and lettering should be representative of and appropriate to the character of the building to which it is attached.

### **5.2.16 Severability.**

The provisions in this bylaw are severable. If any part of this bylaw is declared to be unconstitutional or invalid by any court, the remaining parts of this bylaw will remain in full force and effect.

And further that non-substantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Andover Code of By-laws, or take any other action related thereto.

*On request of the Planning Director*

<b>ARTICLE 65</b>	<b>AMEND ANDOVER ZONING BYLAW ARTICLE XIII</b>
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To see if the Town will amend Article XIII, Section 2.3, District Boundaries, of the Andover Zoning Bylaw and make the appropriate changes to the Zoning Map of Andover, Massachusetts, to rezone the following property from IA to SRC

The land known as 1320 South Street and 1322 South Street and 1323 South Street shown shown as Assessor Parcels 185-1, 184-3 and 184-3A, which plans are on file with Town Clerk and which is described as follows:

Beginning at the southeasterly corner of assessor's parcel 185-1 at the intersection of the westerly sideline of Interstate Route 93 and the Andover — Tewksbury town line; thence

Running in a northwesterly direction along the town line a distance of approximately 3,500' to a point in the centerline of the Shawsheen River, thence

Running in a generally northeasterly direction by the centerline of the Shawsheen River in a distance of approximately 1,100' to a point at the northerly corner of assessor's parcel 184-3A; thence

Running southeasterly by the northeasterly line of parcel 184-3A a distance of approximately 293' to a point in the centerline of the Shawsheen River, thence

Running in a southeasterly direction by the Shawsheen river a distance of approximately 195' to a point on the northeasterly line of assessor's parcel 184-3A; thence

Running in a southeasterly direction by the northeasterly line assessor's parcel 184-3A a distance of approximately 887' to a point; thence

Running southwesterly by the southeasterly line of assessor's parcel 184-3A a distance of approximately 250' to a point at the northerly corner of assessor's parcel 185-1; thence

Running southeasterly by the northeasterly line of assessor's parcel 185-1 a distance of approximately 1,350' to a point on the westerly sideline of Interstate Route 93; thence

Running southerly by Interstate Route 93 a distance of approximately 469' to the point of beginning or to take any action related thereto.

*On request of Eliates Mercedat and others*